

\*E-FILED: January 10, 2013\*

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RUSSELL FENNELL,

No. C11-03585 HRL

Plaintiff,

**ORDER OF DISMISSAL**

v.

TASHA SOUTER; ET AL.,

Defendants.

The Court having granted Defendants' Motion to Dismiss (Dkt. 61), it is hereby ordered that the claims of plaintiff Russell Fennell are dismissed WITHOUT PREJUDICE. The Clerk of Court is directed to close the file.

**IT IS SO ORDERED.**

Dated: January 10, 2013

  
\_\_\_\_\_  
HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

1 **C11-03585 HRL Order will be electronically mailed to:**

2 Claire Cormier                      claire.cormier@usdoj.gov

3 **Order will be mailed to:**

4 Russell F. Fennell  
5 659 Easter Avenue  
6 Akron, OH 44307

7 **Counsel are responsible for distributing copies of this document to co-counsel who have not  
8 registered for e-filing under the court's CM/ECF program.**

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